

HAKKASAN LV, LLC, et al.,)	Case No. 2:14-cv-01717-GMN-NJK
Plaintiff(s),)	
vs.)	ORDER
MARK DANIEL ADAMCZYK, et al.,)	(Docket No. 29)
Defendant(s).)	

The Court begins by reminding the parties and counsel that “[o]bstructive refusal to make reasonable accommodation . . . not only impairs the civility of our profession and the pleasures of the practice of law, but also needlessly increases litigation expense to clients.” *Hauser v. Farrell*, 14 F.3d

1 1338, 1344 (9th Cir. 1994). That is especially true in the discovery context, as “[d]iscovery is supposed
2 to proceed with minimal involvement of the Court.” *F.D.I.C. v. 26 Flamingo, LLC*, 2013 WL 3975006,
3 *8 (D. Nev. Aug. 1, 2013) (quoting *F.D.I.C. v. Butcher*, 116 F.R.D. 196, 203 (E.D. Tenn. 1986)). “It is
4 regrettable that counsel for the parties and/or the parties themselves have so much difficulty cooperating
5 with discovery and the Court is often called upon to spell out detailed rights and responsibilities.” *Id.*
6 This case is early in the proceedings, and the Court expects the parties and counsel to better cooperate
7 as the case moves forward and to proceed with civility toward one another.

8 Currently before the Court is Plaintiffs’ motion for an order for Defendant to show cause why he
9 should not be held in contempt. *See* Docket No. 29. That motion is hereby **DENIED** without
10 prejudice. With the above admonishment in mind, the Court instead will again order that Defendant
11 and Plaintiffs’ counsel proceed with holding the Rule 26(f) conference and filing a joint proposed
12 discovery plan. The parties shall arrange for and hold the Rule 26(f) conference no later than February
13 9, 2015, and shall file a joint proposed discovery plan no later than February 17, 2015.

14 **Plaintiffs’ counsel and Defendant shall anticipate that the failure to comply with this order**
15 **will result in the imposition of sanctions. In the event that both Plaintiffs’ counsel and Defendant**
16 **fail to comply with the spirit and letter of this order, they should anticipate that the Court will**
17 **impose a court fine on them both.**

18 IT IS SO ORDERED.

19 Dated: February 2, 2015

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23 NANCY J. KOPPE
24 UNITED STATES MAGISTRATE JUDGE
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